

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Nicole Yzaguirre,

Civil No. 10cv03793 DWF/JJK

Plaintiff,

v.

**ORDER OF FINAL  
SETTLEMENT CONFERENCE**

Eric Norling,

Defendant.

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The above-referenced case is assigned to Judge Donovan W. Frank for trial in January, 2012. A final settlement conference will be held on **November 14, 2011, at 9:30 a.m., in Chambers 646**, Warren E. Burger Federal Courthouse, 316 North Robert Street, St. Paul, Minnesota 55101, before the undersigned United States Magistrate Judge.

Counsel who will actually try the case and each party, armed with full settlement discretion, shall be present in person. If individuals are parties to this case, they shall be present in person. If a corporation or other collective entity is a party, a duly authorized officer or managing agent of that party shall be present in person. This means that each party must attend through a person who has the power to change that party's settlement posture during the course of the conference. If the party representative has a limit, or "cap" on his or her authority, this requirement is not satisfied. If an insurance company is involved,

the responsible agent must be present in person.

In order to encourage the parties to address the issue of settlement on their own, counsel must meet in person with one another **at least ten (10) days** prior to the date of the settlement conference, to engage in a full and frank discussion of settlement. If the case does not settle, each attorney shall submit to the undersigned **at least three (3) business days** before the date of the settlement conference a confidential letter setting forth the parties' respective settlement positions before the meeting, their respective positions following the meeting and a reasoned, itemized analysis justifying their client's last stated settlement position. Failure of any lawyer to submit this letter will result in the settlement conference being rescheduled and the imposition of an appropriate sanction on the attorney whose failure caused the conference to be postponed. Additional sanctions may be imposed for failure to comply with any of the other foregoing instructions.

Dated: October 3, 2011

*s/ Jeffrey J. Keyes*

JEFFREY J. KEYES

United States Magistrate Judge